

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Lucas C. Wynn,

Civil No. 05-2212 (PAM-JJG)

Plaintiff,

v.

ORDER

**M. Connor,
Joan Fabian,
D. Ferrise,
Reinaldo Cortez,
Dayton Burkholder,
Correctional Medical Services,**

Defendants.

This matter is before the undersigned upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Wynn's claim against defendant Joan Fabian is dismissed pursuant to 28 U.S.C. § 1915A.
2. Wynn's claims against the remaining defendants is allowed to proceed at this time, without prejudice to any defenses they may subsequently assert.

Dated this 6th day of July, 2006.

s/ Paul A. Magnuson
PAUL A. MAGNUSON
United States District Court Judge